

ORDER SHEET

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)**

**Case No. – OA 595 of 2023**

*Ayan Chaudhury* -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and  
Date of order

For the Applicant : Mr. D. Chatterjee,  
Ld. Advocate.

For the State Respondent : Mr. G.P. Banerjee,  
Ld. Advocate.

02  
01.12.2023

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The applicant being a UDC was issued a transfer order along with another government employee by an order dated 20.10.2022 on administrative grounds from ITI, Durgapur to ITI Tung, Darjeeling. Subsequently, the Director, ITI, Durgapur issued his release order with further direction to join his new place of posting at ITI, Tung, Darjeeling. Since he had not complied with the transfer order, the applicant was also issued a show-cause notice by the Director of Industrial Training on 24.04.2023. It is submitted that the applicant has not responded to the show-cause notice nor joined his new place of posting on transfer. It is also noteworthy that the show-cause points out that he did not handover the charge of store of ITI, Durgapur, his last place of posting. From the show-cause notice, it appears that a disciplinary proceedings against him is being contemplated. Earlier, by a representation he had expressed his difficulty in joining the new place of posting due to personal reasons.

Having heard the submissions of the learned counsels and considering the facts and circumstances of the case, this Tribunal is of the firm opinion that transfers are part of service life of a government employee and transferring on administrative grounds without any malice is the prerogative of the respondent authorities. It appears in this case, the applicant has refused to join his new place of posting from Durgapur to Darjeeling citing personal reasons. It is the view of this Tribunal that it should not interfere in the routine administrative matters of the department.

Accordingly, this application is **disposed of** without passing any orders.

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**